

Summary of Changes in the FDA Food Code



This Summary provides a synopsis of the textual changes from the 2001 and 2005 FDA Food Codes and the Supplements to the 2001 and 2005 Food Code Chapters and Annexes to the 2009 edition. The primary intent of this record is to capture the nature of the changes rather than to identify every word or editing change. ***This record should not be relied upon as an absolute comparison that identifies each and every change.***

General:

- Numerous editing changes were made throughout the document for internal consistency, to correct some errors in the 2001 and 2005 Code and for clarification.
- Section and paragraph numbers listed refer to the 2001 and 2005 Code unless otherwise noted. The numbering system was removed from Chapter 1 definitions in the 2005 version of this Code. An explanation regarding the rationale can be found in Annex 3, 1-201.10(B).
- Updated the web links throughout the Code and Annexes
- Throughout the entire Food Code designated Code provisions as:
- "PRIORITY ITEM", denoted with a superscript P – ^P; or
- "PRIORITY FOUNDATION ITEM", denoted with a superscript Pf – ^{Pf}; or "CORE ITEM", a provision in this Code that is not designated as a PRIORITY ITEM or a PRIORITY FOUNDATION ITEM.

Preface

Item 1

Updated Healthy People national initiative information to include mention of Healthy People 2020

Item 2(B)

Corrected the reference to 21 CFR 5.10 in paragraph 1

Item 3

Updated FDA mission statement

Item 5

Updated reference to CFP meetings and introduced the revised designation system for Code provisions in 2009

Item 7

Updated address for the FDA/CFSAN

Item 8

Added information to assist the reader in understanding Food Code conventions

Chapter 1 Purpose and Definitions

1-201.10(B)

201.10(B)

The numbering system was removed from the definitions in the 2005 version of this Code. An explanation regarding the rationale can be found in Annex 3, 102.10(B)

Added "Asymptomatic"

Added "Balut"

Added "Conditional Employee" Replaced defined term "Table-mounted equipment" with "Counter-mounted equipment"

Added "Core item"

Added "Cut leafy greens"

Amended "Eggs" to clarify difference between "egg" (shell egg) and "egg product" (liquid, frozen, or dry egg). Exclusion of baluts and reptile eggs added to clarify that they were not considered when developing the egg-related provisions of the Food Code

Amended "Egg Products" to clarify the difference between "egg" (shell egg) and "egg product" (liquid, frozen, or dry egg)

Amended "Employee" by adding "food employee"

Added "Enterohemorrhagic Escherichia coli"

Amended "Exclude" to clarify that an excluded person may not enter a food establishment as an employee

Amended "Food Processing Plant" subparagraph (b) by deleting the cross reference

Added "Handwashing Sink"

Added "Health Practitioner"

Amended definition of "Injected" to remove the public health statement and process where no liquid is introduced.

Amended "Juice" to clarify that "juice" does not include liquids, purées, or concentrates that are not used as beverages or ingredient beverages

Added "Major Food Allergen"

Added "Mechanically Tenderized"

Added "Non-continuous cooking"

Amended 2001 "Potentially Hazardous Food" to introduce new term time/temperature control for safety (TCS), and include information and tables from the IFT report (CFP 2004-I012)

Revised 2005 "Potentially Hazardous Food (Time/Temperature Control for Safety Food)" subparagraph (2)(a) by adding, "cut leafy greens"

Added "Priority item"

Added "Priority foundation item"

Added "Ratites"

Revised "Ready-to-Eat Food" subparagraph (1)(b) to correctly cross reference 3-401.11 (D)(1) and (3); Revise subparagraph (1)(c) to update reference to subparagraph 3-401.11(D)(4)

Amended 2001 "Reduced Oxygen Packaging" to clarify and expand the definition to address cook/chill and sous vide (CFP 2002-III-039)

Revised 2005 "Reduced oxygen packaging" subparagraph (2)(d) and (2)(e) to correct spelling of "psychrotrophic"

Added "Re-Service"

Amended "Shiga toxin-producing *E. coli*" to describe examples

Deleted "Table-mounted equipment" and replaced with "Counter-mounted equipment"

Chapter 2 Management and Personnel

2-102.11(A)

Amended 2001 to state that complying with this Code means having no violations of critical items during the current inspection (CFP 2004-I-014)

Amended 2005 to replace "Critical items" with "Priority items"

2-102.11(C)(9)

Added to address knowledge of major food allergens (CFP 2004-III-004)

2-102.11(C)(17)

Added to address knowledge of reporting responsibilities. (CFP 2004-III-030)

2-102.20

Added new section to recognize National Manager Certification (CFP 2004-II-009)

2-103.11(K)

Amended to correct cross reference to 3-301.11(D)

2-103.11 (L)

Added "food allergy awareness" as a part of the food safety training of employees by the Person in Charge

2-103.11(M)

Added new paragraph regarding reporting responsibilities

2-201.11

Amended employee health section – made major revisions throughout (CFP 2004-III030)

2-201.12

Amended exclusion and restriction section – made major revisions throughout (CFP 2004-III-030)

2-201.13

Amended removal of exclusion and restriction section – made major revisions throughout (CFP 2004-III-030)

2-201.14

Deleted section

2-201.15

Deleted section

2-301.12

Amended the excepted cross reference to ¶ (D) in (A) and Amended to update proper sequence for handwashing procedure and avoiding recontamination of the hands, after handwashing.

2-301.16

Amended to eliminate use of the “sanitizer” and “sanitizing” since “sanitization” does not apply to hand antiseptics; replaced the terms “hand sanitizer” with “hand antiseptic.”

Chapter 3 Food**3-201.11 (D)**

Amended to correctly cross reference subparagraph 3-401.11 (D)

3-201.11(G)

Amended language relating to egg and egg products

3-202.11(C)

Amended language relating to egg and egg products

3-202.13

Amended language relating to egg and egg products; removed small caps from words “restricted” and “consumer”

3-202.14(A)

Amended language relating to egg products

3-202.14(B)

Amended to clarify existing FDA policy that fluid and dry milk products must be both pasteurized and in conformance with Grade A Standards when received at retail

3-203.11

Added new ¶ (D) (CFP 2004-I-017)

3-203.12(B)

Revised to clarify that shellstock tags should be held for 90 days from the harvest date rather than the date the container is emptied

3-203.12(B)(2)(b)

Amended to clarify the intent of commingling to allow combining containers of shellstock that were harvested in the same growing area on the same harvest date by the same certified shellfish shipper (CFP 2004-I-018)

3-301.11(B)

Amended to delete “or when otherwise approved” and replacing with “or as specified in ¶ (D) of this section” (CFP 2004-III-029)

3-301.11(D)

Added new ¶ (D) to provide within the codified text the criteria that must be met for approval of an alternative procedure to No Bare Hand Contact with ready-to-eat foods and require prior approval from regulatory authority

3-301.11(D)(3)

Added provision to require a written employee health policy

3-302.11(A)(1)

Amended language to exempt frozen, commercially processed and packaged raw animal foods from separate storage or display from RTE foods; Added new subparagraph (c) that allows this exemption.

3-302.12

Removed insert page with “Clarification of ¶ 3-301.11(B) of the Food Code with respect to the phrase “Except...when otherwise approved”...”

3-302.13

Amended language relating to meringue

3-302.14

Inserted missing header

3-304.11

Amended to add new ¶ (B) specifying that single-service and single-use articles can be used to contact food

3-304.14

Amended to clarify use of wiping cloths

3-306.14

Amended to correct cross-reference regarding re-service of food in HSP (CFP 2002-I-001)

3-401.11(A)(1)

Amended subparagraph (b) to delete the word “pork” since it is included in the definition of meat; updated the language in (a) relating to eggs; added cross-reference to ¶ 3-401.11(C); added exception regarding cooking intact steaks

3-401.11(A)(2)

Added "mechanically tenderized" meats to the list of foods that shall be cooked to heat all parts of the food to 68°C (155°F) for 15 seconds

3-401.11(B)

Amended to clarify that lamb and other meat roasts are included

3-401.11(D)

Amended to add new subparagraph (D)(2) to not allow the sale of undercooked, comminuted meat from a children's menu

3-402.11

Added third option for freezing to control parasites and added exemption for certain fish that are aquacultured

3-402.11(B)

Added new subparagraph (4) to exempt fish eggs that have been removed from the skein and rinsed from freezing for parasite destruction

3-402.12(C)

Added provision for record keeping for certain aquacultured fish that are exempted from freezing

3-403.11

Amended to clarify reheating in 2 hours and changed “beef” to “meat” roasts

3-403.11(E)

Added new ¶ (E) which was missing in 2007 Supplement

3-404.11(A)

Amended to correct the reference ¶ 8-201.12 (B) – (E) to ¶ 8-201.14(B) – (E)

3-501.14(D)

Amended language relating to eggs

3-501.16(B)

Amended language relating to eggs

3-501.17

Amended date marking to include cheese exemptions and other exemptions based on the Lm Risk Assessment (CFP 2004-III-006; 2004-III-14; 2004-III-017)

3-501.17(D)(2)

Amended to correct a typographical error

3-501.19

Added a provision for longer time out of temperature control when food is removed from cold holding at 41°F (CFP-2004-III-09)

3-501.17(D)(2)

Amended to correct a typographical error

3-502.11(D)

Amended to include *Listeria monocytogenes* controls which are specified under § 3-502.12.

3-502.11(E)

Amended ¶ (E) to replace the word "and" with "or" to clarify that a variance would be required when operating a molluscan shellfish life-support system display tank, regardless of whether the tank was used for storing (back-of-the-house) or displaying (front-of-the-house) shellfish

3-502.11(H)

Amended the list of items requiring a variance and HACCP plan to include sprouting beans or seeds in a food establishment (CFP 2004-III-012)

3-502.12

Amended 2001 provisions for ROP to address growth of *Listeria monocytogenes* and added cook/chill and sous vide, added ROP cheese (CFP 2004-III-023)

Amended 2005 tag line to clarify that no variance is required for Reduced Oxygen Packaging methods listed in this section

3-502.12(A)

Amended to clarify that all Reduced Oxygen Packaging methods in this section require controls for growth and/or toxin formation by *Clostridium botulinum* and *Listeria monocytogenes*, not just methods with two barriers

3-502.12(B)(2)(d)

Amended to clarify that raw vegetables have high levels of competing organisms

3-502.12(B)(5)(a)

Amended to clarify that prohibition only applies to ready-to-eat food to prevent conflict with § 3-301.11

3-502.12(D)

Amended to show this paragraph is not optional and remove italics

3-502.12(D)(1)

Amended to clarify that implementing a HACCP plan is required

3-502.12(D)(2)(c)

Amended to add cross reference to Part 3-3

3-502.12(D)(2)(d)

Amended to clarify when bags should be sealed for cook-chill and sous vide

3-502.12(E)

Amended to show this paragraph is not optional with no variance and remove italics

3-502.12(E)(2)and (E)(3)

Amended to combine (E)(2) with (E)(3)

3-502.12(E)(4)

Amended to become the new (E)(3)

3-502.12(E)(5)

Amended to become the new (E)(4)

3-602.11(B)

Added labeling requirements for major food allergens as specified in the Food Allergen Labeling and Consumer Protection Act

3-603.11

Deleted insert page on “Current Status of Consumer Advisory Language”

3-603.11(A)

Amended cross reference from 3-401.11(D)(3) to 3-401.11(D)(4)

3-801.11(B) & (C)

Amended language relating to egg and egg products and added meringue

3-801.11(E)

Added new cross reference to 3-501.19

3-801.11(G)

Added new provision regarding re-service of food (CFP 2002-I-001)

Chapter 4 Equipment, Utensils, and Linens

4-101.13

Amended to combine lead, pewter, solder and flux restrictions into one section

4-101.17 and .18

Deleted – both provisions and combined with 4-101.13

4-101.19

Amended to renumber to 4-101.17

4-101.110

Renumbered to 4-101.18

4-101.111

Renumbered to 4-101.19

4-204.110(A) and (B)

Amended to clarify that subparagraphs 4-204.110(A) and (B) applies to molluscan shellfish life support system tanks that are used for either storing or displaying molluscan shellfish

4-204.16

Moved exception to beginning

4-204.122

“Equipment” to be changed to “apparatus” to be consistent with definition of “equipment”

4-205.10

Amended to correct verb to the present tense

4-402.11(B)

Amended reference to counter-mounted equipment

4-402.12(D) & (E)

Amended reference to counter-mounted equipment

4-501.114

Changed opening paragraph to cross-reference to Chapter 7 in 2001 code

Amended 2005 lead-in paragraph to change "exposure times" to "contact times" and "manufacturer's label use instruction or directions" to "EPA-registered label use instructions" to harmonize with EPA terminology (CFP 2008-III-010)

4-501.114(A)

Added chlorine concentration ranges and changed "Minimum Concentration" to "Concentration Range" in the chart. (CFP 2008-III-010)

4-501.114(B)(1)

Amended to change the minimum temperature requirement for an iodine solution from "24°C (75°F)" to "20°C (68°F)" to be consistent with EPA iodophor registration protocols (CFP 2008-III-010)

4-501.114(C)(3)

Amended to change "manufacturer's label" to "EPA-registered label use instructions" to harmonize with EPA terminology (CFP 2008-III-010)

4-501.114(E)

Amended to change "manufacturer's directions including the labeling" to "EPA-registered label use instructions" to harmonize with EPA terminology (CFP 2008-III-010)

4-502.11

Deleted duplicate paragraph (C)

4-703.11(C)

Amended to change "exposure time" to "contact time" to harmonize with EPA terminology in (C)(1)(2)(3) and (4) (CFP 2008-III-010); Added sentence to clarify that contact times shall be consistent with EPA-registered labels and to harmonize with EPA terminology

Amended text box, renamed subpart to **"4-904 Preventing Contamination"** 4-901.11

Updated CFR reference in (A)

4-902.11

Added cross-reference to § 7-205.11

4-904.11

Amended margin note (key words) to ***"Preventing Contamination"***

4-904.13

4-904.13

Revised the text regarding preset tableware to clarify under what circumstances preset tableware may be exposed and not protected from contamination by wrapping, covering, or inverting

4-904.14

Added a new § 4-904.14 to allow the application of a post-sanitizing rinse restricted to commercial warewashing machines and the circumstances under which it may be allowed (2008-III-016)

Amended to restructure to be internally consistent – list was not in parallel structure

Chapter 5 Water, Plumbing, and Waste

Throughout Chapter 5

Changed “handwashing facility” to new term “handwashing sink”

5-102.12(B)

Amended to remove "and irrigation"

5-203.13

Added a new ¶ (B) to address use limitations for toilets and urinals and amended existing paragraph to be new ¶ (A)

5-203.15

Amended to change "double" check valve to "dual" check valve

5-402.11

Amended to clarify that floor drains are allowed in walk-in refrigerators (CFP 2004-I026)

5-501.14

Moved the exception to the beginning of the section

Chapter 6 Physical Facilities

6-101.11(B)(1)

Deleted “suitable” – inherent in “approved”

6-201.11

Moved both exceptions to the beginning of the section

6-202.14

Moved the exception to the beginning of the section

6-202.17

Moved the exception to the beginning of the section

6-202.18

Moved the exception to the beginning of the section

6-301.12

Added new ¶ (D) to allow the use of a high velocity blade of non-heated, pressurized air for hand drying

6-303.11(A) and (B)

The lux (foot candles) level of light intensity was adjusted to more accurately match conversion formulas for light intensity.

6-306.10

Amended to change the cross reference in the paragraph from § 5-203.13 to ¶ 5-203.13(A). Section 5-203.13 has (A) and (B) paragraphs. The cross reference now only refers to ¶ (A)

6-501.12(B)

Moved the exception to the beginning of the section

6-501.18

Amended to delete cross reference to § 5-205.11 as it pertains to handwashing sinks only and not toilets and urinals.

6-501.111

Amended the lead-in paragraph to clarify that establishments are expected to be free of pests

Chapter 7 Poisonous or Toxic Materials

7-204.11

Amended to correct CFR reference to 40 CFR 180.940

7-204.12

Added a new ¶ (B) that allows the use of ozone on fruits and vegetables according to 21 CFR 173.368

7-207.11(A)

Moved the exception to beginning of section

CHAPTER 8 Compliance and Enforcement**8-201.13(A)(2)**

Amended cross reference from subparagraph 3-401.11(D)(3) to subparagraph 3-401.11(D)(4)

8-304.11

Amended to correct cross-reference in ¶ (D) to §2-201.11

8-304.11(G)

Amended to remove reference to deleted ¶ 8-304.11(H)

8-304.11(H)

Deleted ¶ (H) as it references subparagraph 3-501.16(A)(2) that was deleted from the Code in the Supplement to the 2005 Food Code; renumbered remaining paragraphs

8-304.11(I)

Amended to become new ¶ (H)

8-304.11(J)

Amended to become new ¶ (I)

8-304.11(K)

Amended to become new ¶ (J)

8-401.20(A)

Amended to change "critical" to "priority items or priority foundation items"

8-401.20(B)

Amended to change "noncritical" to "core items"

8-403.10

Amended to correct cross-reference in subparagraph (B)(2) to §2-201.11

8-403.10(B)(3)

Amended to change "critical items" to "priority items or priority foundation items"

8-405.11(A) and (B)

Amended to change "critical item" to "priority item or priority foundation item"

8-405.20(A) and (B)

Amended to change "critical item" to "priority item or priority foundation item"

8-406.11(A)

Amended to change "noncritical violations" to "core items"

8-501.10

Amended opening phrase

8-501.20

Added conditional employee

8-501.40

Amended entire section to reflect reinstatement of excluded or restricted food employee or conditional employee consistent with new Part 2-2

Annex 1 Compliance and Enforcement

8-801.10(D)

Added new Part 8-7 Authority, Subpart 8-701 Legal Authority, and §§ 8-701.10, 8-701.11, and 8-701.20

Re-numbered existing Parts such that the existing Part 8-7 Notices, becomes new Part 8-8 Notices, and existing Part 8-8 Remedies, becomes new Part 8-9 Remedies, respectively

Added reference to conditional employee

Annex 2 References

1. USC and CFR

Amended (A) and (B) contact names and addresses

2. Bibliography

Preface

Amended reference to DFSR list of state officials

1-201.10

Added new reference for the Food Allergen Labeling and Consumer Protection Act

Amended references to the NSSP and PMO

Added new reference to the IFT Report Evaluation and Definition of Potentially Hazardous Foods (CFP 2004-I-012)

Added new reference relating to egg and egg products

Added 8 new references to support the addition of cut leafy greens to the definition of "Potentially Hazardous Food (Time/Temperature Control for Safety Food)"

Added 2 new references regarding injected and mechanically tenderized beef steaks

2-102.11

Deleted reference #5 – outdated CFP Report

2-201.11-.13

Deleted 1 and added 23 references relating to employee health; amended others (CFP 2004-III-030)

2-301.16

Added 8 references regarding hand antiseptics and changed title

3-201.13

Updated reference to the PMO

3-201.14

Added 3 references for recreationally caught fish and 3 for labeling requirements

3-201.15

Updated reference to NSSP

3-201.17

Added 2 CFR references on exotic animals, voluntary inspection of rabbits

3-202.12

Added 3 references to food and color additives

3-202.13

Amended CFR reference related to egg and egg products; deleted 1 CFR reference

3-202.14

Added 2 new CFR references on cheese and frozen desserts

3-202.18 and .19

Updated reference to NSSP

3-202.17

Added 1 CFR reference on molluscan shellfish shipment; updated reference to NSSP

3-202.110

Added 3 references for treated juice

3-203.11

Added reference for repacking shellfish

3-203.12

Updated reference to NSSP

3-401.11

Added 3 new references regarding ground beef and foodborne illness in children

3-501.16

Added 23 references relating to PHF (TCS food) hot and cold holding

3-501.17 and .18

Added references relating to date marking (CFP 2004-III-007); amended USDA/ARS PMP

3-501.19

Added information regarding CFP report on using time/temperature for 6 hours; amended USDA/ARS PMP

3-502.11

Added 3 references relating to sprouting beans or seeds

3-502.12

Added 14 new references relating to ROP (CFP 2004-III-023) (2001)

Amended tag line to be consistent with change in coded text (2005)

3-601.11 – 3-603.11

Added 4 references on labeling and on the FD&C Act

3-801.11

Added new reference to the Juice HACCP Regulations

4-101.13

Added 3 references related to lead in ceramic ware

4-101.17

Deleted outdated reference to ASTM

4-101.19

Added CFR reference regarding preservatives for wood

4-501.13

Added new CFR reference on microwave ovens

4-501.114

Added reference to CFR Title 40, Part 180.940; added 2 new references and deleted four existing references

4-901.11

Added new CFR reference on food-contact sanitizing solutions

5-102.12

Added new § 5-102.12 and 2 new references in support of removing irrigation from the list of

nonculinary purposes for nondrinking water use

5-202.12

Amended 4 references

5-203.13

Added new § 5-203.13 with 6 new references regarding foodborne illness transmission via environmental surfaces

5-203.15

Added new § 5-203.15 with 1 new reference regarding American Society of Sanitary Engineering standards

6-202.15

Amended 2 references

6-301.12

Added new § 6-301.12 with 1 new reference regarding hand drying

6-303.11

Amended the lighting handbook reference

6-501.18

Added new § 6-501.18 with 5 new references regarding foodborne illness transmission via environmental surfaces

Chapter 7

Added all new references

3. Supporting Documents

Deleted FDA from the title

Amended opening statement

Added (G) Growing Sprouts in a Retail Food Establishment (CFP Issue 2004-III-012)

Added (H) Advisories for Retail Processing with Proper Controls and Variances for Product Safety (CFP 2004-I-009; 2004-I-010)

Added (I) Evaluation and Definition of Potentially Hazardous Foods (CFP 2004-I-012)

Added (J) The U.S. Equal Employment Opportunity Commission (EEOC) Guide, "How to Comply with the Americans with Disabilities Act: A Guide for Restaurants and Other Food Service Employers"

Added (K) Guidance for Retail Facilities Regarding Beef Grinding Logs Tracking Supplier Information (CFP Issue 2004-I-029)

Added (L) Recommended Guidelines for Permanent Outdoor Cooking Establishments, 2003 (CFP Issue 2004-I-006)

Added (O) "Retail Food Protection Program Information Manual: Recommendations to Food Establishments for Serving or Selling Cut leafy Greens"

Added (P) "Employee Health and Personal Hygiene Handbook"

Added (Q) "Risk Assessment Process and Spreadsheet to Redesignate Food Code Provisions"

Added (R) the NACMCF report, "Parameters for Determining Inoculated Pack/Challenge Study Protocols"

Added (M) Comprehensive Guidelines for Food Recovery Programs

4. Food Defense Guidance From Farm to Table

Added new Part 4. Defense Guidance from Farm to Table (CFP 2004-II-013)

Annex 3 Public Health Reasons/Administrative Guidelines

1-201.10(B)

Added an explanation regarding the rationale for removing the numbering system from the definitions in the 2005 version of this Code

Deleted outdated reference to National Commission for Certifying Agencies' Standards for Accreditation of National Certification Organizations

Added information about the new definition of PHF/TCS food and guidance on using new Tables A and B (CFP 2004-I-012)

Added information about the new definition of egg and egg products

Potentially Hazardous Food (Time/Temperature Control for Safety Food)

Added information to explain why cut leafy greens was added to the definition

Accredited Program

Added cross reference to the definition of "Accredited Program" in ¶ 1-201.10(B)(3) to provide greater clarification of the defined term

2-102.11

Added information regarding the CFP Food Protection Manager Certification program

2-102.20

Added new section for updated information regarding Accredited Programs for food manager certification

Added double asterisks at the end of paragraph 5, subparagraph 5 (Accredited program.**)
and a footnote to the double asterisks

2-103.11

Amended paragraph 2 to break text into paragraph 2 and new paragraph 4; Added new paragraph 3 on food allergies

2-201

Added supporting information about the change in approach to controlling ill employees

2-201.11 - .13

Amended the entire discussion on employee health, exclusions and restrictions; and amended Lists I and II

Amended paragraph 9 under Title I of the Americans with Disabilities Act of 1990 to the most recent Federal Register notice for the CDC List of Infectious and Communicable Diseases Which are Transmitted Through the Food Supply

Amended Decision Tree 1, Decision Tree 2, Table 1a, Table 1b, Table 2, Table 3, and Table 4 with editorial changes

2-301.12

Added information on use of brushes, soap, and recontamination of hands after

washing

2-301.16

Added and updated information on hand antiseptics; changed title to Hand Antiseptics; updated address for OTC Drugs

3-101.11 and 3-201.11

Amended paragraph to add a clarification regarding exceptions to freezing of fish before consumption

3-201.11

Updated the information about egg labeling; labeling irradiated raw meat (CFP 2004-I-028)

3-201.14

Added information about recreationally caught fish

3-202.13

Updated information related to egg labeling

3-203.11

Added information related to repacking shellfish (CFP 2004-I-017)

3-301.11

Amended entire section to reflect new provisions in ¶3-301.11(D); deleted “clarification of ¶3-301.11(B) of the Food Code with respect to the phrase “Except ... when otherwise approved;” replaced “Norwalk-like virus” with “Norovirus”

3-302.11

Amended to clarify storage of raw animal food

Added information in paragraph 1 regarding storage of frozen, commercially processed and packaged raw animal foods

3-401.11, 3-401.12, 3-401.13

Added new information on Children's menu

3-401.11

Amended to clarify that formed roasts are cooked the same as whole roasts; added information about roasts that are cooked slowly

3-402.11

Added information related to freezing for parasites and information on exemptions from freezing

Added new paragraph 6 regarding parasite hazards in fish

3-402.12

Added information related to record keeping for freezing for parasites for aquacultured fish

3-501.16

Added information related to the Lm Risk Assessment

3-501.17

Added several paragraphs regarding the FDA/FSIS/CDC *Listeria monocytogenes* Risk Assessment and the justification for the additional exemptions to the date marking provision (CFP 2004-III-006; 2004-III-014; 2004-II-017)

3-501.19

Added information regarding using 6 hours to hold food without temperature control (CFP 2004-III-009)

3-502.12

Updated information regarding ROP, cook/chill, and sous vide (CFP 2004-III-023)

Amended the tag line to be consistent with change in coded text; Amended to explain that all ROP methods in this section control for the growth and/or toxin production of *Clostridium botulinum* and *Listeria monocytogenes*

3-602.11-.12

Added information on the labeling of food allergens

3-603.11

Added information regarding consumption/sale of raw milk

Amended to update contact information for FDA/CFSAN

3-801.11

Amended to clarify that pureed fruits and vegetables used as food for highly susceptible populations do not require preparation under a HACCP plan or compliance with 21 CFR Part 120

3-801.11(G)

Added information about re-service of food

4-101.13

Amended to combine lead, pewter, solder and flux restrictions into one section; deleted sections 4-101.17 and .18

4-501.14

Updated CFR cross-reference and information

Deleted paragraphs 1 and 3-7, leaving only paragraph 2 to eliminate duplicate language found also in § 4-501.114 where language is appropriately applied to sanitizing (CFP 2008-III-010)

4-501.114

Updated CFR cross-reference and information

Amended to update all six paragraphs with new language to be consistent with changes made in § 4-501.114 (CFP 2008-III-011-011)

4-502.14

Amended to clarify use limitations of mollusk shells

5-102.12

Added a new paragraph to explain why use of irrigation water as nondrinking water was removed

5-203.11

Amended to make section title consistent with the Code; Added 2 new paragraphs regarding the importance of handwashing and having hand sinks for handwashing

5-203.12

Deleted paragraph 2; Relocated paragraph 2 to § 6-501.18 because it addresses the cleaning of toilets and urinals and not numbers and capacities

5-402.11

Added information about floor drains

6-301.12

Added 3 new paragraphs regarding hand drying

6-501.18

Amended the tag line to match § 6-501.18 in the Food Code; Relocated second paragraph from § 5-203.12 because it addresses the cleaning of toilets and urinals; Added 3 new

paragraphs containing supporting information to address the reason to clean toilets and urinals

6-501.111

Revised to clarify that establishments are expected to be free of pests

Annex 4 Management of Food Practices-Achieving Active Managerial Control of Foodborne Illness Risk Factors

Rewritten and renamed; old Annex 5 (HACCP) is now renumbered as new Annex 4 and retitled (Management of Food Safety Practices – Achieving Active Managerial Control of Foodborne Illness Risk Factors); deleted the entire old Annex 5 (HACCP) and replaced it with new Annex 4

Updated allergen information

Updated web links to web pages throughout the Annex.

Annex 5 Conducting Risk-Based Inspection

Rewritten and renamed; old Annex 4 (Food Establishment Inspection) is now renumbered as new Annex 5 and retitled (Conducting Risk-based Inspections); deleted the entire old Annex 4 (Food Establishment Inspection) and replaced it with new Annex 5

- 3. B. Amended to change pressure range to be consistent with that in 4-501.113
- 4. G. 1. Amended to change "critical item" to "priority item"
- 4. H. Amended to change "noncritical" to "core item" in the Examples of concerns list for the listing "food protection"
- 5. A. Amended to change "critical violations" to "priority item and priority foundation item violations"

Annex 6 Food Processing Criteria

Made editorial corrections throughout the Annex

2. Reduced Oxygen Packaging

Revised and updated the Reduced Oxygen Packaging section following changes to the definition of Reduced Oxygen Packaging and to § 3-502.12 Reduced Oxygen Packaging, Without a Variance, Criteria

Annex 7

Forms, Guides, List & Charts

Introductory Cover page – Updated listing of new forms

Forms – 1A, 1-B, and 1-C – Updated to reflect changes to Subpart 2-2

Forms – 1-A, 1-B, 1-C, 1-D – Updated with editorial changes

New Form 1-D, Bare Hand Contact application – Added form to apply for alternative procedure to touch RTE food with bare hands

Guides 1-D, 1-E – Deleted entirely

List 1-F – Deleted entirely

Forms – 2-A, 2-B updated Section 2, Insertions and Changes, to reflect change from Part 8-8 to Part 8-9 in Annex 1

Previous Form 3-A – Deleted HACCP Inspection Data Form entirely

Form 3-A – Inspection Report Form - Updated to reflect changes in the Supplement to the 2005 Food Code

New Form 3-A – Added new Inspection Report Form (CFP 2004-II-019; 2004-II-021)

Guide 3-B – Added Food Code references for the new Inspection Report Form; deleted previous Inspection Form 3-B (CFP 2004-II-019; 2004-II-021)

Guides - 3-B and 3-C merged and explanatory paragraphs added regarding the merge
Previous Guide 3-B deleted after merge with Guide 3-C

New Guide 3-C – Added Inspection Report Marking Instructions; deleted previous Inspectional Guide 3-C

New Guide 3-B – Added new *"Instructions for Marking the Food Establishment Inspection Report with Food Code References for Risk Factors/Interventions and Good Retail Practices Specified on the Food Establishment Inspection Report"* and included marking instructions for good retail practices #28 - #54

Chart 4-A – Added ratites to list of foods requiring 155°F for 15 seconds minimum cooking temperature; added baluts, stuffed ratites, stuffing containing ratites to list of foods requiring 165°F for 15 seconds minimum cooking temperature

Chart 4-A – Summary Chart for Minimum Cooking Food Temperatures and Holding Times Required by Chapter 3 - Added "mechanically tenderized meats" to the list of foods cooked to a minimum cooking temperature of 68°C (155°F)

Chart 4-C – Summary Chart for Date Marking – Corrected the symbol to $\leq 45^{\circ}\text{F}$ and specified that this summary can be used for foods described in 3-501.17(A) - (E)

Chart 4-C – Summary Chart for Date Marking – Corrected to remove reference to date marking at $> 41 - \leq 45^{\circ}\text{F}$ for ≤ 4 days

Chart 4-D – Mobile Food Establishment Matrix – Added ¶ 5-203.11(C); deleted ¶ 5-203.11(B) in the rows for Personnel and Water & Sewage

ADA = Americans with Disabilities Act

ASTM = American Society for Testing and Materials

CDC = Centers for Disease Control and Prevention

CFP = Conference for Food Protection

CFR = Code of Federal Regulations

HACCP = Hazard Analysis and Critical Control Point

IFT = Institute of Food Technologists

Lm = *Listeria monocytogenes*

NACMCF = National Advisory Committee on Microbiological Criteria for Foods

NSSP = National Shellfish Sanitation Program

OTC = Over the counter

PMO = Pasteurized Milk Ordinance

PMP = Pathogen Modeling Program

ROP = Reduced Oxygen Packaging

USDA/FSIS = United States Department of Agriculture/Food Safety & Inspection Service